

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

*

v.

*

Case No.: JFM-15-299

KAUSHIK MODI

*

* * * * *

MOTION TO SUPPRESS STATEMENTS

The defendant, Kaushik Modi, through counsel, James Wyda, Federal Public Defender for the District of Maryland, and Joseph A. Balter, Deputy Federal Public Defender, hereby respectfully moves this Honorable Court, pursuant to Rule 12(b)(3) of the Federal Rules of Criminal Procedure, to suppress any and all statements, admissions and confessions allegedly given by the defendant, whether oral, written or otherwise recorded, which the government proposes to use as evidence against the defendant at trial, and in support of the motion alleges as follows:

1. The defendant, Kaushik Modi, is charged by indictment with money laundering conspiracy, in violation of 18 U.S.C. § 1956.

2. Any statements, admissions, or confessions were obtained in violation of Mr. Modi's privilege against self-incrimination, her right to counsel as guaranteed by the Fifth and Sixth Amendments to the United States Constitution, and the Supreme Court's holding in *Miranda v. Arizona*, 384 U.S. 436 (1966).

3. Any statements, admissions, or confessions were the fruit of Mr. Modi's illegal arrest and in violation of the Fourth Amendment of the United States Constitution.

4. Mr. Modi is entitled to a hearing regarding the voluntariness of any statements, admissions, or confessions attributed to her in accordance with the provisions of Title 18 U.S.C.

§ 3501 and the principles set forth in the case of *United States v. Inman*, 352 F.2d 954 (4th Cir. 1965).

WHEREFORE, the defendant moves that all statements, admissions and confessions which the government proposes to use as evidence against him, whether oral, written or otherwise recorded, be suppressed.

Respectfully submitted,

JAMES WYDA
Federal Public Defender

/S/

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MEMORANDUM OF POINTS AND AUTHORITIES

1. *Miranda v. Arizona*, 384 U.S. 436 (1966).
2. *United States v. Inman*, 352 F.2d 954 (4th Cir. 1965).

/S/

JOSEPH A. BALTER #04496
Deputy Federal Public Defender

REQUEST FOR HEARING

Pursuant to Rule 105.6 of the Local Rules of the United States District of Maryland, a hearing is requested on the defendant's motion.

/S/

JOSEPH A. BALTER #04496
Deputy Federal Public Defender